

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO: 3:05CV74**

**CYNTHIA J. KEMPISTY,
d/b/a GAME ROOMS TO GO,
d/b/a POOL TABLES PLUS,
Plaintiffs**

vs.

**BRUNSWICK BOWLING AND
BILLIARDS CORPORATION,
Defendant.**

ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte*. On September 13, 2005, the undersigned held a status conference in this matter pursuant to the authority granted him in Rule 16(a) of the Federal Rules of Civil Procedure. Ms. Kempisty is now proceeding *pro se* and was present, along with Mr. Kempisty, representing the Plaintiff. Mr. Fred Wood, local counsel for Brunswick, attended on behalf of the Defendant. During the conference, the parties indicated that settlement negotiations were ongoing. Accordingly, the Court will direct the parties to file a written report, indicating the status of those negotiations, within thirty days from the filing date of this Order. After such report is filed, the Court may – in its discretion – choose to hold another status conference, which all counsel of record will be required to attend in person.

IT IS, THEREFORE, ORDERED that the parties file a written report, jointly if possible, indicating the status of settlement negotiations, within **thirty (30) days** from the filing date of this Order.

Signed: September 13, 2005

A handwritten signature in black ink, appearing to read 'D.C. Keesler', is written over a horizontal line.

David C. Keesler
United States Magistrate Judge

